

DOA: 4/9/2025

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

United States of America  
v.  
Hector Manuel Barcenas-Tapia,  
A #205 422 105

)  
)  
)  
)  
)

Case No.

25-3140MS

*Defendant***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about April 6, 2025, in Maricopa County, in the District of Arizona, the defendant violated Title 8, United States Code, Section 1326(a) (Reentry of Removed Alien), an offense described as follows:

Hector Manuel Barcenas-Tapia, an alien, was found in the United States at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Calexico, California, on or about May 4, 2016, and not having obtained the express consent of the Attorney General or the Secretary of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a) (Reentry of Removed Alien). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

**See Attached Statement of Probable Cause Incorporated By Reference Herein**

**CHARLES BAILEY**

Digitally signed by CHARLES BAILEY  
Date: 2025.04.09 11:17:57 -07'00'

AUTHORIZED BY: Charles E. Bailey Jr., P.S. for AUSA Travis L. Wheeler

☒ Continued on the attached sheet.

**JUAN M AGUIRRE**

Digitally signed by JUAN M AGUIRRE  
Date: 2025.04.09 12:05:47 -07'00'

*Complainant's signature*

Juan M. Aguirre  
ICE Deportation Officer

*Printed name and title*

Sworn to telephonically.

Date: April 9, 2025

*M Morrissey**Judge's signature*

City and state: Phoenix, Arizona

Michael T. Morrissey  
United States Magistrate Judge

*Printed name and title*

### **STATEMENT OF PROBABLE CAUSE**

I, Deportation Officer Juan M. Aguirre, declare under penalty of perjury that the following is true and correct.

1. I am a Deportation Officer. I have learned the facts recited herein from direct participation in the investigation and from the reports and communications of other agents and officers.
2. On or about April 6, 2025, officers with the Phoenix Police Department arrested and booked Hector Manuel Barcenas-Tapia into the Maricopa County Jail (MCJ), in Phoenix, Arizona, on local charges. While Barcenas-Tapia was confined at the MCJ, ICE agents interviewed him and determined him to be a citizen of Mexico, unlawfully present in the United States. On or about the same date, an immigration detainer was lodged with the MCJ for Barcenas-Tapia. On or about April 9, 2025, Barcenas-Tapia was released from the MCJ to ICE custody and transported to the Phoenix ICE office for further investigation and processing. Barcenas-Tapia was held in administrative custody until his identity could be confirmed and his immigration and criminal history could be obtained.
3. Immigration history checks revealed Hector Manuel Barcenas-Tapia to be a citizen of Mexico and a previously deported alien. Barcenas-Tapia was removed from the United States to Mexico, through Calexico, California, on or about May 4, 2016, pursuant to a final order of removal issued by an immigration official. There is no record of Barcenas-

Tapia in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his last removal. Barcenas-Tapia's immigration history was matched to him by electronic fingerprint comparison.

4. On or about April 9, 2025, Hector Manuel Barcenas-Tapia was advised of his constitutional rights. Barcenas-Tapia freely and willingly acknowledged his rights but did not agree to provide a statement under oath. However, on or about April 6, 2025, during his initial encounter with ICE agents, Barcenas-Tapia admitted that he illegally entered the United States without prior inspection by immigration officials.
5. For these reasons, this affiant submits that there is probable cause to believe that on or about April 6, 2025, Hector Manuel Barcenas-Tapia, an alien, was found in the United States at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, or removed from the United States at or near Calexico, California, on or about May 4, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a) (Reentry of Removed Alien).
6. This affidavit was sworn to telephonically before a United States Magistrate Judge legally authorized to administer an oath for this purpose. I have thoroughly reviewed the affidavit and the attachments to it, and attest that there is sufficient evidence to establish probable



cause that the defendant violated Title 8, United States Code, Section 1326(a) (Reentry of Removed Alien).

JUAN M AGUIRRE

Digitally signed by JUAN M  
AGUIRRE  
Date: 2025.04.09 12:06:37  
-07'00'

---

Juan M. Aguirre  
Deportation Officer  
Immigration and Customs Enforcement

Sworn to telephonically on  
April 9, 2025

*M Morrissey*

---

Michael T. Morrissey  
United States Magistrate Judge